

Exhibit C

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

THE STATE OF LOUISIANA,
By and through its Attorney General, JEFF
LANDRY, et al.,

PLAINTIFFS,

CIVIL ACTION NO. 1:21-cv-3867-DCJ-JPM

JOSEPH R. BIDEN, JR. in his official capacity
as President of the United States, et al.,

DEFENDANTS.

Declaration of Ken L. Sandel

I, Ken L. Sandel declare as follows:

EDUCATION, EXPERIENCE, AND EXPERTISE

1. I am the Senior Director, Sponsored Programs Services, at Purdue University.
2. I have been in this position since July 1, 2014.
3. I have personal knowledge about Purdue’s relationship with the federal government.
4. In my capacity as Senior Director, I am principally responsible for negotiating and, with the Principal Investigators who will perform the research, executing or overseeing the execution of all federal and non-federal grants and contracts on behalf of Purdue University.

5. Purdue's research enterprise received \$387.3 million in federal awards during fiscal year 2021 and expended \$291.2 million in federal funds working toward innovative solutions to difficult problems identified by federal agencies.

6. I make this declaration in support of Plaintiff States' Motion for a Preliminary Injunction. This declaration is based on my personal knowledge and experience. I could and would competently testify to its contents if called to do so.

Effect of Contractor Vaccine Mandate on Purdue University

7. The Contractor Vaccine Mandate has a direct and immediate impact on Purdue University.

8. Purdue University does not have a COVID-19 vaccine mandate for its employees. Purdue had no plans to implement a COVID-19 vaccine mandate for its employees.

9. If implemented, the Contractor Vaccine Mandate will force Purdue to choose between forgoing its federal funding or implementing a COVID-19 vaccine mandate for its employees.

10. Purdue's carefully considered Protect Purdue Plan, which has been in place for nearly fifteen (15) months and provides strong encouragement and incentives for vaccination, provides the option of mandatory surveillance testing for those who choose not to be vaccinated. The Protect Purdue Plan, which is informed by the advice of a Medical Advisory Committee, adheres to best practices for facilities and personal safety for all members of its campus community. Such measures have proven successful, with widespread voluntary acceptance of vaccination and nearly 100% compliance with Protect Purdue Plan. Most important, the Purdue community's adherence to this plan has yielded very low positivity. Adding a vaccine mandate at this time disrupts the settled expectations and work of those who are already successfully and safely operating on our campus under the Protect Purdue Plan.

11. Purdue has numerous contracts with the federal government.

12. Purdue would be seriously injured if it were not eligible for federal contracts.

13. The imminence of Purdue's harm from the Contractor Mandate is demonstrated by emails and letters it has received from federal entities.

14. For example, in October 2021, the Army Contracting Command in Rock Island, Illinois, contacted Purdue University about modifying its contract with Purdue. It added a “COVID-19 CLAUSE” which “implements Executive Order 14042, Ensuring Adequate COVID Safety Protocols for Federal Contractors, dated September 9, 2021 (published in the Federal Register on September 14, 2021, 86 FR 50985).”

15. The new mandatory clause requires Purdue to “comply with all guidance, including guidance conveyed through Frequently Asked Questions, as amended during the performance of this

1 contract, for contractor or subcontractor workplace locations published by the Safer Federal
2 Workforce Task Force (Task Force Guidance)."

3 16. Similarly, in November 2021 the United States Government sought to modify another
4 contract regarding microelectronics workforce development with Purdue University. The amendment
5 would add a clause titled "Ensuring Adequate COVID-19 Safety Protocols for Federal Contractors
6 (OCT 2021). It "implements Executive order 14042, Ensuring Adequate COVID Safety Protocols for
7 Federal Contractors, dated September 9, 2021 (published in the Federal Register on September 14,
8 2021, 86 FR 50985)," and requires Purdue to "comply with all guidance, including guidance conveyed
9 through Frequently Asked Questions, as amended during the performance of this contract, for
10 contractor or subcontractor workplace locations published by the Safer Federal Workforce Task Force
11 (Task Force Guidance)."

12 17. The "Guidance" to which these communications from federal entities refer includes
13 the Contractor Vaccine Mandate.

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15 I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED
16 STATES OF AMERICA AND THE STATE OF LOUISIANA THAT THE FOREGOING IS
17 TRUE AND CORRECT.

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19 Executed in West Lafayette, Indiana this 11th day of November, 2021.

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Ken L. Sandel

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Ken L. Sandel, Senior Director

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Sponsored Programs Services

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Purdue University

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